Along The Avenue

Starting this Sunday, that fabulous feature at the CLUB AMBASSADOR, Fayette and Washington Sts. the jam session, will be brightened by one of Baltimore's top personalities, Maurice (Hot Rod) Hulbert, or if you prefer, "Maurice The Mood Man."

This is one guy that simply wings the people with his ability to entertain an audience. The jam session is great by itself, but with the Rod as an extra attraction, owner George Nassikas' joint is sure to come up with a top drawing card.

The regular attraction at the club is the Mellow Jacks Combo, a swing group that we reviewed on an earlier stand at the club, and came up with the opinion that they rock and jump in the fashion associated with the house.

—o o o—

AT THE COMEDY CLUB this week it's the singing of Anita O'Day that is in the spotlight. The young lady is backed by her own jazz group, composed of musicians who left the West Coast with her when she started the cross-country tour in April.

Anita is quite a talk ative too and her conversation is mixed with memories of the past when she was the star of the Gene Krupa outfit and the Stan Kenton group, and the present. On Tuesday p.m., in between sets, she was sitting at the COMEDY CLUB bar listened with one ear to a Frank Sinatra record (A guy whom she thinks is the most) while with the other listened to a conversation between her musicians, over the worth of a local bass player.

In Anitas own words, she has forsaken the standard type of singing that gave her a name, and now is concentrating on "progressive jazz" which she hastened to assure is quite a different thing from bop.

—o o o—

TO THE BEST of our understanding, the difference lies in the fact that while bop players shun melody, the progressive musicians take a melody and work from there. It may sound confusing, but it was a lot easier to understand when she demonstrated.

It was back in 1934 that the O'Day lady got her start. Walkathons were in style then. To the youngsters, a walkathon was a version of the Chinese torture routine, in which dancers moved about the floor until they could not move any more. It sounds silly now, but in 34 it was all the rage.

In one of these affairs, the MC asked for volunteers to entertain the audience while the weary dancers rested their feet. Anita volunteered and when she got finished the patrons showered her with money.

"It was a good dead man. Loot for singing. So I learned another song, and got some more money, and next thing you know, I was a professional singer."

—o o o—

SO SHE moved into the Chicago hot spot, the Three Deuces, and lo and behold, here came Krupa who discovered her and took her with his band. Next thing you know she made recordings of "Let Me Off Uptown," "Hi Ho Trailus Hoshup," "How High The Moon" and a flock of others, and she was a hit.

For the past five years she has been on the West Coast. Now she has hit the comeback trail and her "progressive" style of music is both interesting and pleasing to give a listen to.

Next attraction at the COMEDY CLUB will be Chet Baker, who features a wonderful style of music, rich and satisfying.

ANOTHER ONE of our favorite clubs is the CLUB TIJUANA where this week the exciting music of Sonny Stitt and Sir Charles Thompson is the feature attraction. After turning in a good show with Billie Holiday, the club has gone back to the modern sounds by bringing in this top outfit.

Next artist set for the club is Babs Gonzales another artist with the modern sound, who should keep up the tradition of the club in offering the best in modern music.

—o o o—

FROM LOS ANGELES comes the sad news that "Little Esther" the young girl who made such a hit with the Johnny Otis band, has been arrested on a morals charge and the situation looks bleak.

She was 13 when she started with Otis, and now she is 19, and her career appears over. She left the Otis band after several years and attempted to make it on her own, but it didn't work. She had a couple brushes with the law on narcotics charges and found it hard to get work.

Now she is in trouble again and only 19 years old.

On the brighter side of things is the cherry smile being worn by George Fox, owner of RIC-TOR'S RED FOX LOUNGE on the healthy business being chalked up by those headline attractions, Lou Bennett. Wee Bea Booze and Elaine Middleton.

Night after night, the trio brings the customers in, where they hear the best of blues from Bea, the sweet songs of Elaine, and the wonderful music by Lou. Also of interest is the fact that the Halloween party was won by Mr. and Mrs. Rufus Langston. Last Sunday the Delphiasas held a whale of a cocktail party at the club, which has a few bookings open.

Lending glamor to the already glamorous spot is lovely Miss Barbara Chaffin who started work this week as hat check girl and waitress. The young Baltimore Miss is a joy to behold.

—o o o—

THAT TERRIFIC man of the trombone, Benny Green, is doing it again at the CLUB CASINO, and that means that he is playing a lot of fast trombone, all of it good.

Long regarded as one of the top young trombonists, Benny is making his third or fourth appearance at the club, where the patrons are storming the doors to hear some of the magic trombone work.

On Monday the bright music of "Jackie" Davis will move into the CASINO.

One of the biggest hits on local juke boxes is the waxing of "Make Yourself Comfortable" by Sarah Vaughan. This is her first really big commercial record and trade sources expect sales to reach the million mark.

CLUB ORLEANS has live entertainment going on the weekend in the person of Sam Taylor and the Mello-Aires while the SPOT MUSICAL BAR has Dan Brown Jr. and his group. At Jone's COCKTAIL LOUNGE is the Jo Jo Mambo Group and at the Knotty Pine it is the Valentino Trio. That's it . . . Have fun.

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Moments Musical

By ADAH K. JENKINS

Experiences — of a — the-month: Moussorgsky's opera "Boris Godounoff" (the Russia counterpart of the drama "Macbeth") sung in concert form with imported soloists, the Howard University Choir and the Baltimore Symphony Orchestra.

This is music conceived on a grand scale, full of the majesty, sinister power; gorgeous trappings and terror of an old empire. Moussorgsky felt the real pulse of his people and their national music in a land where East and West had met for centuries.

In the score of "Boris" one hears and feels the inflence of the Orient, the European folk music and the religious background of Greek Orthodox, Roman and Lutheran churches.

In spite of jeers and criticisms of his time the composer believed unswervingly in music from the heart of his people and wrote accordingly.

—o o o—

THE AUDIENCE appreciated both the opera and the performers. Dean Warner Lawson's choristers were in fine form and never missed a cue in the difficult score.

Their contrasts in tonal color and well-defined rhythmic accents were exceptionally well done.

"Boris" is an opera dominated by the male characters. The soprano roles do not contain the intense dramatic appeal that the five leading bass and tenor singers carry to a tragic conclusion.

Mary Jane Kemp and Kira Baklanova gave adequate renditions, that were vocally satisfying.

—o o o—

JEROME HINES in the leading role was magnificent in stature and sang with much understanding.

The tenor, Andrew McKinley possessed both voice and temperament for his double roles.

Massimo Freccia, conductor of the Baltimore Symphony, deserves the plaudits of the entire community for the outstanding production, which demonstrated strikingly the democracy of art, where God-given talents and ability are the criteria.

—o o o—

THE JOINT apperance of the Philadelphia and Baltimore Fellowship choirs at Homewood Friends Meeting.

The occasion was not a concert, but the mid-year meeting of the Baltimore Fellowship.

However, Nettie Mae Merritt, director of the vocal ensemble, arranged two groupings of numbers that ranged from Hebrew and American folk music to Bach chorales and compositions by the American modernist, Aaron Copland, and Irvin Berlin.

THE EFFECT was thrilling both musically and from the angle of human relations, for the choir roster represented people of Oriental and Occidental, foreign and native—born and of varied colors and religions.

Under the leadership of their diminutive and dynamic leader they literally burst forth into song that filled the auditorium yet was never out of control or without genuine and thoughtful beauty.

The choirs also sang Sunday evening at the closing program of Women's Day at Sharp St. Memorial Methodist Church. On both occasions they were ably accompanied at the piano by Elizabeth Haslam.

At the Homewood Meeting program Cantor Banjamin Grobani, of the Eutaw Place Temple and a singer of note in New York and Baltimore, rendered the recitative and aria "Largo" from the Handel opera "Xerses" and "The Heavens Are Telling" by Beethoven. Assisting at the piano was his young daughter.

Born Yesterday

The Fort Meade "Showcase Theatre" will close it's most successful year to date with a pre-holiday offering of the all-time comedy hit "Born Yesterday."

The Garson Kanin smash will be presented at Fort Meade during the week of December 6th.

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—Frisking

(Continued from Page 1)

policemen went over to the Mason group. One officer patted down the other two men at the table, without apparent objection. I ? Mr. Mason resented the frisking.

THE OFFICER then called Sgt. Wrightson who told Mr. Mason to stand up and be searched. He submitted to the frisking, but informed the sergeant that he did so unwillingly because there was no legal basis for the search.

Mr. Mason told the officer that he was an "attorney; that he knew most of the other patrons and saw no need to search them for concealed weapons. But the search progressed, although no weapons were found on anyone.

Court testimony showed that there was no disorder at Club Tijuana ; that no crime had ever been committed there and that the cocktail lounge had never required police assistance.

ASKING $25,000 damages, Mr. Mason filed suit against Sgt Wrightson in Superior Court. The case was heard in February 1954 by the late Chief Judge W. Conwell Smith who ruled that no actual damage to Mr. Mason was established and that at most, he suffered only "technical wrong".

Reversing this decision after reviewing the case on Oct. 12, the Court of Appeals said:

"THE SEARCH under such circumstances constituted (not an assault and battery) and false imprisonment.

"To constitute false imprisonment, there must be some direct restraint of the person, but confinement in jail or in prison is not essential:

"Any exercise of force, or threat of force by which in fact one is deprived of his liberty, compelled to remain, or to go where he does not wish to go, being an imprisonment;

—o o o—

THE ESSENCE of the tort (wrongful act involving civil action) consists in depriving (Mr. Mason) of his liberty without lawful justification.

"When a peace officer goes beyond the scope of the law, he may become liable civilly and is not shielded by the immunity of the law.

"The fact that the (sergeant) was acting under orders of a superior officer does not relieve him of civil liability for his actions which are illegal and beyond the scope of duty.

"The Bouse Act now permits the use of evidence obtained through an illegal search or seizure in the prosecution of any person for unlawfully carrying a concealed weapon.

"However, this Act does not enlarge the power of an officer to conduct searches which he could not otherwise make.

—o o o—

"THE FACT that evidence is admissable does not validate the means by which it was obtained.

"The Act offers to offending searchers and seizers no protection or immunity from anything —be it civil liability, criminal liability or disciplinary action.

"Though the officers had authority to enter the club and conduct a search of the premises without a warrant, this Act (Code 1951, Article 2B, Section 179) did not authorize, or purport to authorize, police officers to search the patrons.

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"THERE WAS some suggestion in a colloquy in the lower court that there should be some relinquishment of constitutional guarantees and submission to police search in order to aid in such a campaign against major crime as the police were then conducting.

"Whatever merit there may be so such a suggestion, it must rely for its efficacy upon voluntary conduct.

"To deny recovery in a case such as this to one who refuses to waive his right of immunity from unwarranted search would be to take the first step down the path leading to the destruction of the right.

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"THE REMAINING question is whether (Mr. Mason) is entitled to recover any damages, and if so, how much.

"It would be very difficult, if not impossible, to estimate his damages on a pecuniary (monetary) basis, and there was no proof thereof.

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"We think that the humiliation incidental to the search made here does show some damage.

—o o o—

"It is well settled that every injury to the rights of another imports damages, and if no other damage is established, the party injured is at least entitled to a verdict for nominal damage."

—o o o—

MR. MASON and his attorneys, W. A. C. Hughes Jr. and Benjamin Foreman hailed the decision as a widespread moral victory.

Mr. Mason said:

"This decision by the highest court in the state of Maryland reaffirms the principle that an individual's privacy should be secured against arbitrary intrusions by the police.

"This case was one of first impressions in the United States and it established a legal precedent to be followed in subsequent cases involving police powers vs. individual rights.

—o o o—

"POLICE OFFICERS have now been put on notice that they cannot legally search an individual merely on the order of a superior officer.

It is particularly gratifying to note that the court practically accepted in toto the argument and brief of my counsel; as a basis for its decision.

"Admittedly, my initial setback in the lower court was discouraging, but my attorneys and I never doubted that we had the law on our side and that the trial judge was in error.

"WE ALSO KNEW that my chances for receiving pecuniary damages were practically nil. We had to decide either to appeal the case at a cost of approximately $500, exclusive of attorneys fees, in order to vindicate a principle or to let the case drop.

"I am very happy that we decided to vindicate the principle.

"I regret to say that the club where this incident occurred displayed little interest in the matter, although the fruits from this historic decision will innure of its benefit."

Ben Foreman W. A. C. Hughes
Attorneys associated with David F. Mason, attorney, who won frisking case before Md. Court of Appeals.

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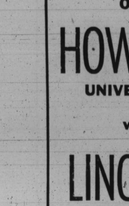

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MARYLAND'S LARGEST ROLLER RINK

Bates meets Carver High in Washington

By BOB PINKNEY

ANNAPOLIS — Fresh from a 32-0 win over Carver last week, Bates football team takes the trail to Washington this afternoon (Friday) to face a rugged Phelps th quest of its fourth win of the season.

The Little Giants, who will be closing out the season, hope to break a six year Washington jinx.

Twenty seniors will be ending their high school football careers for Bates, and nine of them are first stringers.

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THEY ARE ends Roland Jones and Earl Langford, tackle Frank McGowan, guards Larry Butler and co-captain Caralis Kimbrue, and backfield stalwarts Gary Queen, Delbert Williams, Joe Foote, and Eugene Simms.

The only non-seniors in the starting ailment are tackle Kenneth Brown and center Lawrence Brown.

Bates will be seeking revenge for a 7-6 licking handed them by the Washingtonians last season, while the Little Giants won in 1952, 7-0, on a pass from Jack Dennis to end Joe Jackson.

—o o o—

COACH JAMES Webb, who will be completing his fifth season at Bates, sent his squad through extensive scrimmages this week, also barring the usual bumps and bruises the Little Giants are ready to go.

Coach Webb, sporting a 32-2 record, will be looking for his best season since 1951, when the Annapolis eleven ended with a 7-1-1 record.

Other seniors who will be bowing out are George Gaither, Robert Dotson, Haynie Young, Joe Carroll, Hubert Brown, Charles Green, Paul Holland, Leon Wallace and Albert Coates.

Fayetteville tops St. Paul's

FAYETTEVILLE, N.C. — The Gaines-coached Fayetteville Broncos started late but went on to rack up tallies in the second and third periods and to down St. Paul's Polytechnic Institute by a 20-18 score.

For coach Madison N. Robinson's hard-charging Tiger's from Va., it was a vicious, last ditch affair the Teams were a pair of victory-hungry CIAA competitors.

Turkey Day Classic

WASHINGTON

The Howard University Bisons meet the Lincoln University Lions in the 49th renewal of the Thanksgiving Day Classic.

The teams are rated even, although Lincoln has three wins, three losses and one tie record to Howard's two wins, five losses, and one tie.

Last year the Bisons edged Lincoln 12-7 in Philadelphia. The game will be held on the campus Thanksgiving Day, beginning at 1:30 p.m.

—Baby Contest

(Continued from Page 1)

are some of the characteristics these judges are looking for.

Out of the nearly 400 entries, 20 final contestants will be picked by the judges. From these 20 finalists, six babies will be chosen as winners at a public judging to be held Tuesday night, Nov. 30 at 8 p.m. in the Madison Ave. YWCA auditorium.

THE CARNATION Company, producers of Carnation Evaporated Milk, and co-sponsors of the contest, can be considered pioneers in using this means of gaining research information that will dovetail with the extensive research program that has formed a major part of its operations for over 50 years.

In setting out to find the healthiest baby in each of more than 40 cities through the country, Carnation hopes to show what its product, Carnation Milk, has done to build strong and healthy Americans.

Much of the demand for Carnation Milk among readers of this newspaper can be attributed to the work of the Carnation consummer consultant who are constantly telling parents about the advantages of a Carbation formula in infant feeding.

—o o o—

THE CARNATION Milk which is sold today is a finer product than ever before, because of the continuing efforts of the Carnation Company to put into use the findings of its thorough research.

For example, this research begins as far back along the line of milk production as the breeding of cattle on the famous Carnation Farms just outside Seattle, Washington.

Here on this 1,600-acre farm, some of the greatest butter-fat and milk-producing cows of all time have been developed. And bloodlines have been passed down to dairy farmers in every part of the country to improve the quality of Carnation Milk.

IN EACH of the 36 evaporated milk plants throughout the United States and Canada, special Carnation controls safeguard every can of Carnation Milk, assuring its high quality and uniformity regardless of the region or climate in which it was produced.

These laboratories report to a central laboratory which conducts a quality control program that has helped to make Carnation Milk the most widely used brand of evaporated milk in the world today.

It is expected that the "healthiest babies" discovered through this contest will attest to the feeding.

And by establishing this as an annual affair, Carnation hopes to show the progress which is being made within certain groups where the use of Carnation Evaporated Milk is being constantly broadened.

The results of this contest are expected to be announced within a few days and will be carried by this paper.

Because of the tremendous number of entries, it is asked that parents wait for this announcement rather than make inquiries at the Baltimore AFRO-AMERICAN offices.

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Press Club members hear speech by Truly Hatchett

WASHINGTON of segregation and discrimination in the state and in Baltimore where some stores still refuse to serve colored customers.

Truly Hatchett, who will be among the first members of his race ever to serve in the Maryland legislature when that body convenes, charmed the Capital Press Club, Friday, with his candor and clear-cut analysis of political trends in his state.

The 72 - year - old Baltimore realtor is one of three leaders recently elected to the Maryland legislature. He has been active in the Free State's politics for more than 30 years and was the first colored notary in the state.

In his talk at the weekly luncheon session of the press club Mr. Hatchett traced the progress of colored leaders in political affairs in his state. He also discussed the prospects of larger representation by them in the legislature and city councils.

MR. HATCHETT pointed out that the larger colored populations of the southern Maryland counties, such as Charles and St. Marys, can elect representatives to the legislature, if they select good candidates and work for them.

While voters of both races supported him, Mr. Hatchett said some of his own people were against the Democratic ticket on which he ran because of their opposition to Dr. H. C. Byrd, Democratic candidate for the gubernatorial nomination, who injected the race issue into the campaign.

He thinks this had much to do with Dr. Byrd's defeat.

—o o o—

IN THE legislature and as a citizen in his community, the new member of the House of Delegates said he hopes to be a liberalizing influence which will help to alter the tradition

"I am going to strive to have a clean record and to do a good job," he declared.

Mr. Hatchett is a native of Baltimore. Jokingly, he said his mother must have looked at him at birth and decided that "truly" he looks like the Christ child and therefore named him Truly.

He became an employee in the Baltimore Post Office in 1900 and remained there until 1918 when he went into real estate.

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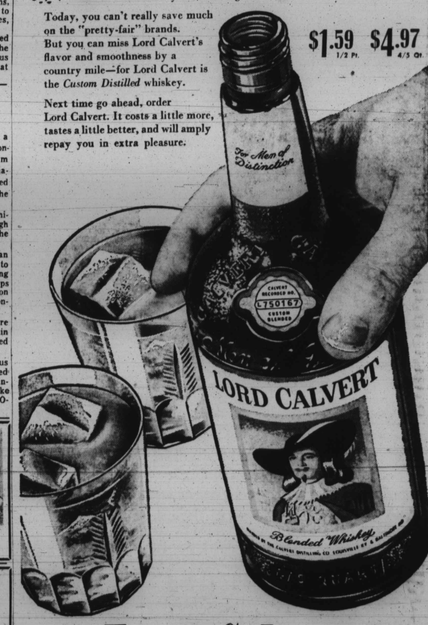
Have you ever walked out of a liquor store, a bottle of pretty-fair whiskey under your arm, and thought: Some day I'm going to treat myself to Lord Calvert!
Do you mind if we ask what you're waiting for?
Today, you can't really save much on the "pretty-fair" brands.
But you can miss Lord Calvert's flavor and smoothness by a country mile—for Lord Calvert is the *Custom Distilled* whiskey.
Next time go ahead, order Lord Calvert. It costs a little more, tastes a little better, and will amply repay you in extra pleasure.
$1.59 1/2 Pt. $4.97 4/5 Qt.



Lord Calvert
For Men of Distinction
BLENDED WHISKEY. 86.8 PROOF. 65% GRAIN NEUTRAL SPIRITS. CALVERT DISTILLERS COMPANY, N. Y. C.